



Atty. Dkt. No. 043034-0181

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Masao SHIMADA  
Title: NETWORK INFORMATION DETECTION APPARATUS AND METHOD  
Appl. No.: 10/802,738  
Filing Date: 03/18/2004  
Examiner: Unknown  
Art Unit: 2661  
Confirmation Number: 5355

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PT0/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A partial English translation of the Japanese Office Action of September 27, 2006, follows:

• Cited Literature

1. Japanese Unexamined Patent Application Publication 2002-335245

2. Japanese Unexamined Patent Application Publication H08-147231

• Claims: 1-3, 9, and 12

• Cited Literature: 1 and 2

Cited Literature 1 describes sending a first detection signal to a node that is connected to a network, detecting the IP address of a node that is subject to detection, sending a second detection signal to the IP address for the node that is subject to detection, and receiving a response from said second detection signal to determine the type of node that is subject to detection (see (Claim 1) and paragraphs (0031) through (0035) of Cited Literature 1).

Cited Literature 2 describes, as the node detecting method, sending a search message to addresses in a predetermined range (see (Claim 1) in Cited Literature 2).

Record of Prior Art Literature Search Results

- Fields Searched: IPC

H04L12/56

- Prior Art Literature

Japanese Unexamined Patent Application Publication 2002-190811 *←already submitted*

Japanese Unexamined Patent Application Publication H06-338884

This record of prior art literature search results does not constitute a reason for refusal.

Document B1 is a U.S. counterpart of Document B2.

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Applicant's statements regarding the Japanese office action are based on a translation that applicant's representative obtained. These statements should in no way be considered as an agreement by applicants, with or an admission of, what is asserted in the Japanese office action.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: September 5, 2007

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6014  
Facsimile: (202) 672-5399

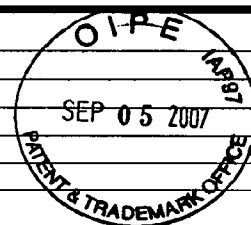
By Phillip J. Articola

George C. Beck  
Attorney for Applicant  
Registration No. 38,072

Phillip J. Articola  
Registration No. 38,819

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: September 5, 2007 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/802,738</td> </tr> <tr> <td>Filing Date</td> <td>03/18/2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Masao SHIMADA</td> </tr> <tr> <td>Art Unit</td> <td>2661</td> </tr> <tr> <td>Examiner Name</td> <td>Unknown</td> </tr> <tr> <td>Attorney Docket Number</td> <td>043034-0181</td> </tr> </table>		Application Number	10/802,738	Filing Date	03/18/2004	First Named Inventor	Masao SHIMADA	Art Unit	2661	Examiner Name	Unknown	Attorney Docket Number	043034-0181
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Attorney Docket Number	043034-0181																
Sheet	1	of	1														



### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	B1	2002/0167914A1	11-14-2002	HANEDA	

### UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Application Document	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number-Kind Code <sup>2</sup> (if known)			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	B2	JP 2002-335245A	11-22-2002	ALLIED TERRACES KK		A
	B3	JP 8-147231	06-07-1996	MITSUBISHI ELECTRIC CORP.		A
	B4	JP 6-338884	12-06-1994	MIZUTANI ISAO		A

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature	/Frantz Jean/	Date Considered	10/01/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.